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26 BANC OF AMERICA INVESTMENT SERVICES, INC., QUICK & REILLY,
27 FLEET NATIONAL BANK, AND FLEET INVESTMENT SERVICES, INC.,
28 now known as FLEET PCG SERVICES, INC.

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

IRENE SINOW, DANIEL KEW and
GARY PEREIRA on behalf of
themselves, the general public, and all
others similarly situated,

Plaintiffs,

vs.

BANC OF AMERICA INVESTMENT
SERVICES, INC., QUICK & REILLY,
FLEET NATIONAL BANK, and
FLEET INVESTMENT SERVICES,
INC., a foreign corporations,

Defendants.

CASE NO. C 06 4466 SC

**STIPULATION TO BE
RELIEVED OF PENDING
DATES SET BY COURT IN
LIGHT OF TRANSFER ORDER
BY MULTI-DISTRICT
LITIGATION PANEL**

1 This Stipulation is made between Plaintiffs Irene Sinow, Daniel Kew,
2 and Gary Pereira (collectively, "Plaintiffs") and Defendants Banc of America
3 Investment Services, Inc., Quick & Reilly, Fleet National Bank, and Fleet
4 Investment Services, Inc., (collectively, "BAI") through their counsel of record.

5
6 WHEREAS, on July 21, 2006, this Honorable Court set the Initial
7 Case Management Conference for November 17, 2006;

8
9 WHEREAS, the instant matter was the subject of a motion to the Panel
10 on Multi-District Litigation ("MDL Panel") seeking to centralize for coordinated
11 and consolidated pretrial proceedings three actions filed against BAI, including this
12 action, to the United States District Court for the Southern District of New York
13 pursuant to 28 U.S.C. § 1407 ("Transfer Motion");

14
15 WHEREAS, because of the pending Transfer Motion, on October 27,
16 2006, pursuant to the stipulation of the parties, this Honorable Court continued the
17 Initial Case Management Conference to January 26, 2007;

18
19 WHEREAS, the MDL Panel heard argument on the Transfer Motion
20 on November 30, 2006 and, on December 19, 2006, ordered transferred to the
21 Central District of California the actions pending outside that district, including the
22 instant action, and assigned those actions to the Honorable Alicemarie H. Stotler for
23 coordinated or consolidated pretrial proceedings with the action pending in that
24 district, entitled *James Karim, et al. v. Banc of America Investment Services, Inc.*,
25 Case No. SACV06-167 AHS (MLGx);

26
27 WHEREAS, as of the date of the filing of this Stipulation, the MDL
28 Panel's order transferring the case does not appear on this Court's docket;

1 WHEREAS, for the convenience of the Court, the parties attach as
2 Exhibit A a true and correct copy of the MDL Panel's order transferring the instant
3 case to the Central District of California;

4
5 NOW THEREFORE, the parties agree to ask the Court, in the interest
6 of conserving judicial and party resources, for an order removing the Initial
7 Scheduling Conference currently set for January 26, 2007 from the Court's calendar
8 and relieving the parties of their duties under the Court's Order Setting Initial Case
9 Management Conference and ADR Deadlines, including the duties under Rule 26
10 to meet-and-confer and exchange initial disclosures.

11 DATED: January 4, 2007

KIRBY C. WILCOX
STEPHEN P. SONNENBERG
MARIA A. AUDERO
PAUL, HASTINGS, JANOFSKY & WALKER
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16 By: /s/ MARIA A. AUDERO
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17 Attorneys for Defendants
18 BANC OF AMERICA INVESTMENT
19 SERVICES, INC., QUICK & REILLY, FLEET
20 NATIONAL BANK, AND FLEET
INVESTMENT SERVICES, INC., now known as
FLEET PCG SERVICES, INC.

21 DATED: January 4, 2007

LOVELL STEWART & HALEBIAN
LAW OFFICE OF JOHN M. KELSON
JERRY K. CIMMET

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23
24 By: /s/ JERRY K. CIMMET
JERRY K. CIMMET (SBN 33731)

25 Attorneys for Plaintiffs
26 IRENE SINOW, DANIEL KEW, AND GARY
27 PEREIRA
28

~~[PROPOSED]~~ ORDER

HAVING reviewed the above stipulation, the Court hereby orders as follows:

1. The Initial Scheduling Conference currently set for January 26, 2007, and all dates related thereto, are taken off calendar;

2. The parties are relieved of their obligations under Rule 26 to meet-and-confer and exchange initial disclosures.

Dated: 1/8/07

